



Order Filed on March 21, 2018 by  
Clerk U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

DENISE CARLON, ESQUIRE

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Attorneys for Movant

Toyota Motor Credit Corporation

In Re:

Carlos E. Rodriguez,

Debtor.

Case No.: 17-32168 JKS

Adv. No.:

Hearing Date: 1/11/18

Judge: John K. Sherwood

**ORDER RESOLVING TOYOTA MOTOR CREDIT CORPORATION'S OBJECTION  
TO DEBTOR'S CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby

**ORDERED**

**DATED: March 21, 2018**

A handwritten signature in black ink, appearing to read "JK Sherwood".

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Honorable John K. Sherwood  
United States Bankruptcy Court

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Debtor:

Carlos E. Rodriguez

Case No.:

17-32168 JKS

Caption:

**ORDER RESOLVING TOYOTA MOTOR CREDIT CORPORATION'S  
OBJECTION TO DEBTOR'S CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Toyota Motor Credit Corporation, the holder of a lien on Debtor's vehicle, a 2017 TOYOTA CAMRY, VIN:4T1BF1FK6HU719646, Denise Carlon appearing, by way of objection to the confirmation of Debtor's Chapter 13 Plan, and this Court having considered the representations of attorneys for the Secured Creditor and Roger Chavez, Esq., attorney for Debtor, and for good cause having been shown;

It is **ORDERED, ADJUDGED and DECREED** that Secured Creditor's lien shall be paid in full through Debtor's Chapter 13 plan at an interest rate of 5.25%; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the parties mutually agree on a value of \$17,000.00 for the subject vehicle; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the total due to Secured Creditor, including interest, shall be \$19,365.70, consisting of the agreed value of \$17,000.00 and \$2,365.70 in interest that will accrue during the course of Debtor's Chapter 13 plan over 60 months;

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that if the length of Debtor's plan is adjusted to either less than or more than 60 months, the interest due under the plan will increase or decrease accordingly, and this order is subject to amendment; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the Debtor shall maintain insurance on the vehicle in accordance with the terms of the loan documents during the entirety of this case and shall furnish proof of same annually and upon request;

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that Toyota Motor Credit Corporation's lien shall remain on the subject vehicle until Debtor has completed all plan payments and receives a discharge in this case; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** Toyota Motor Credit's lien will only be released upon the Debtor's receipt of his discharge and completion of his Chapter 13 Plan. Any dismissal of the case or conversion to a Chapter 7 will result in a full reinstatement of the lien; and

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Debtor: Carlos E. Rodriguez

Case No.: 17-32168 JKS

**Caption: ORDER RESOLVING TOYOTA MOTOR CREDIT CORPORATION'S  
OBJECTION TO DEBTOR'S CHAPTER 13 PLAN**

It is **FURTHER, ORDERED, ADJUDGED** and **DECreed** that the lien shall be released and extinguished upon the successful completion of the Debtor's Chapter 13 plan; and

It is **FURTHER, ORDERED, ADJUDGED** and **DECreed** that Toyota Motor Credit Corporation shall file a release of the lien within 30 days of the date of the service of Debtor's discharge; and

It is **FURTHER, ORDERED, ADJUDGED** and **DECreed** that in the event Toyota Motor Credit Corporation fails to discharge the release of lien within the prescribed period, the Debtor and/or Debtor's counsel may file a certified or exemplified copy of this order, along with a copy of the bankruptcy discharge order, which shall have the same force and effect of a discharge of lien; and

It is **FURTHER, ORDERED, ADJUDGED** and **DECreed** that all contract extras will be cancelled, including but not limited to extended warranties and prepaid maintenance; and

It is **FURTHER, ORDERED, ADJUDGED** and **DECreed** that Toyota Motor Credit Corporation's objection to confirmation is hereby resolved.

**Certificate of Notice Page 4 of 4**  
**United States Bankruptcy Court**  
**District of New Jersey**

In re:  
 Carlos E Rodriguez  
 Debtor

Case No. 17-32168-JKS  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
 Form ID: pdf903

Page 1 of 1  
 Total Noticed: 1

Date Rcvd: Mar 22, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 24, 2018.

db +Carlos E Rodriguez, 235 Harrison Avenue, 1st Floor, Garfield, NJ 07026-1209

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 NONE.

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Mar 24, 2018

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 22, 2018 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Toyota Motor Credit Corporation  
 dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com

Marie-Ann Greenberg magecf@magtrustee.com  
 Rebecca Ann Solarz on behalf of Creditor Toyota Motor Credit Corporation  
 rsolarz@kmllawgroup.com

Roger Chavez on behalf of Debtor Carlos E Rodriguez rchavez01@aol.com, rchavez@chavezlegal.com  
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5